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February 19, 2024

Via ECF

The Honorable Eric N. Vitaliano
United States District Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Xu, et al.*, 22 Cr. 158 (ENV)

Dear Judge Vitaliano,

As the Court is aware, we represent Siyang Chen in the above-referenced matter. The Firm was retained by Mr. Chen in September 2022. I write to request that the Court permit us to withdraw and appoint new counsel pursuant to the Criminal Justice Act.

As the Court was made aware at the last conference on Friday, February 16, 2024, plea offers have been extended to many defendants (including Mr. Chen) which were scheduled to expire. Plea negotiations have continued for some time, and I have met and discussed the plea offer with Mr. Chen several times and for substantial periods of time. Unfortunately, our communications have broken down to the point where Mr. Chen has asked that I make this motion to the Court. Specifically, this weekend Mr. Chen informed me that he was terminating my services and asked that I make this application. Furthermore, in his communications regarding this application, he has indicated that he intends to pursue an ineffective assistance of counsel claim.

Mr. Chen is indigent, his fees to this point have been paid by family. My understanding is that he has no available funds or assets and that he can no longer afford a trial fee.

Accordingly, we respectfully request that the Court permit us to withdraw and appoint new counsel from the Criminal Justice Act panel.

Respectfully submitted,

/s/

César de Castro
Shannon McManus

cc: All Counsel (*via* ECF)